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## **FREDERICK COUNTY PLANNING COMMISSION**

### **August 14, 2013 Meeting**

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**TITLE:** Jefferson Place at Jefferson Technology Park  
**FILE NUMBER:** S-1136/SP-06-07, AP# 13421(FRO# 13425, SWM# 4798, 4799)

**REQUEST:** **Combined Preliminary Subdivision/Site Development Plan Approval**

The Applicant is requesting Combined Preliminary Subdivision/Site Development Plan approval for 825 dwellings, composed of 228 apartments, 220 two-over-tvos, 154 back-to-backs, and 223 townhouses.

**PROJECT INFORMATION:**

ADDRESS/LOCATION: South side of MD180 at the southwest corner of I70 and I270  
TAX MAP/PARCEL: TM76 P108  
COMP. PLAN: Office Research Industrial  
ZONING: Mixed Use Development  
PLANNING REGION: Frederick  
WATER/SEWER: W4/S4

**APPLICANT/REPRESENTATIVES:**

APPLICANT: Jefferson Park Development, LLC  
OWNER: Jefferson Park Development, LLC  
ENGINEER: Rodgers Consulting  
ARCHITECT: N/A

**STAFF:** John Dimitriou R.A., Principal Planner

**RECOMMENDATION:**

Staff has no objection to conditional approval of S-1136, SP-06-07 and AP#13421 the Jefferson Place at Jefferson Technology Park Combined Preliminary Subdivision / Site Development Plan.

**ATTACHMENTS:**

- 1 – Parking Modification Request**
- 2 – Landscaping Modification Request**



# ISSUE

The Applicant is requesting Combined Preliminary Subdivision/Site Development Plan approval for 825 dwellings; composed of 223 townhouses, 208 two over two condos, 166 back to back condos, and 228 apartments on 59.31 acres of Mixed Use Development (MXD) zoned land. The application is being reviewed under Chapter 1-16 of the County Code (Subdivision Regulations), and § 1-19-3.300 through 1-19-3.300.4 (Site Plan Review) of the Zoning Ordinance (Chapter 1-19) as the Phase II Execution Phase of the Mixed Use Development zone.

## BACKGROUND

### Development History

The vicinity of the subject MXD was previously identified as a special focus area for implementing an economic development objective of establishing a biotechnology and advanced technology center in the County. Therefore, during the update of the Frederick Region Plan in 2002, the site of the subject MXD was zoned Office/Research/Industrial (ORI). The MXD floating zone was applied to the property during the original Phase I application in 2005, and was amended on November 12, 2012. As part of the review and approval of the 2012 amendment to the MXD zoning, the primary issues were:

- Removal of plat recordation caps for residential units;
- Removal of requirement tying construction of overpass to project phasing and Planning Commission review and approval;
- Increase of max. footprint square footage requirement for single user retail buildings from 20,000 ft<sup>2</sup> to 40,000 ft<sup>2</sup>, with exemption of footprint square footage limitations for grocery store uses;
- Removal of condition related to the farmstead reuse/documentation due to subsequent demolition of the structure;
- Modification of condition requiring FCPC approval of architectural and streetscape design guidelines;
- Removal of corporate clubhouse/recreation area construction requirement;
- Removal of previously satisfied public use site requirement;
- Extension of the MXD zone to a one acre portion of the site zoned ORI;

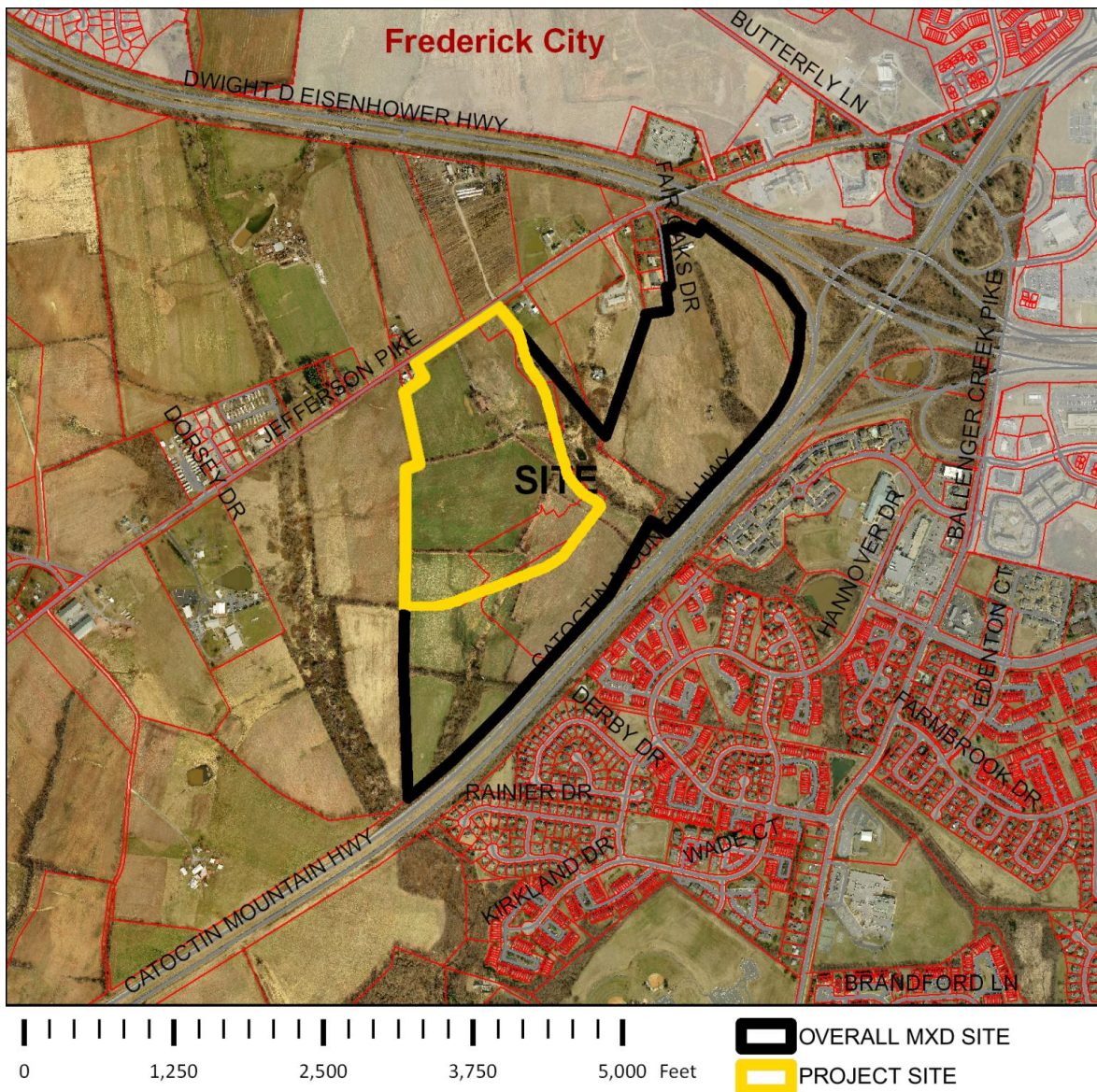
The Jefferson Technology Park MXD is a planned regional mixed use employment center aimed at the technology sector. The overall layout is composed of a corporate campus, a mixed use commercial center, and a mixed use residential neighborhood. The current Combined Preliminary/Site Development Plan application constitutes the majority of the residential portion of the overall Project, and is referred to as Jefferson Place at Jefferson Technology Park.

The current Phase I MXD amendment was submitted in tandem with a Development Rights and Responsibilities Agreement (DRRA). As such, Adequate Public Facilities Ordinance (APFO) review occurred in conjunction with the DRRA approval process and the Phase I Amendment process and was approved by the Board of County Commissioners (BOCC) on 11/13/2012.

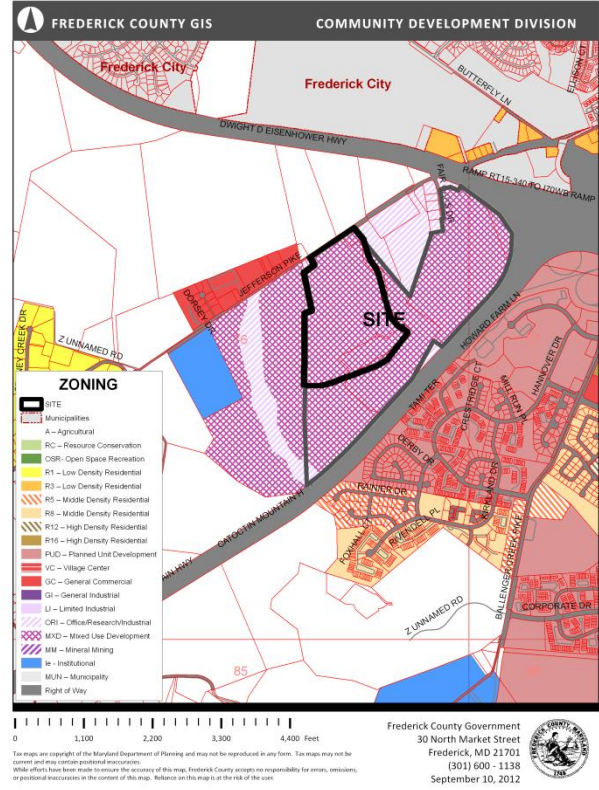
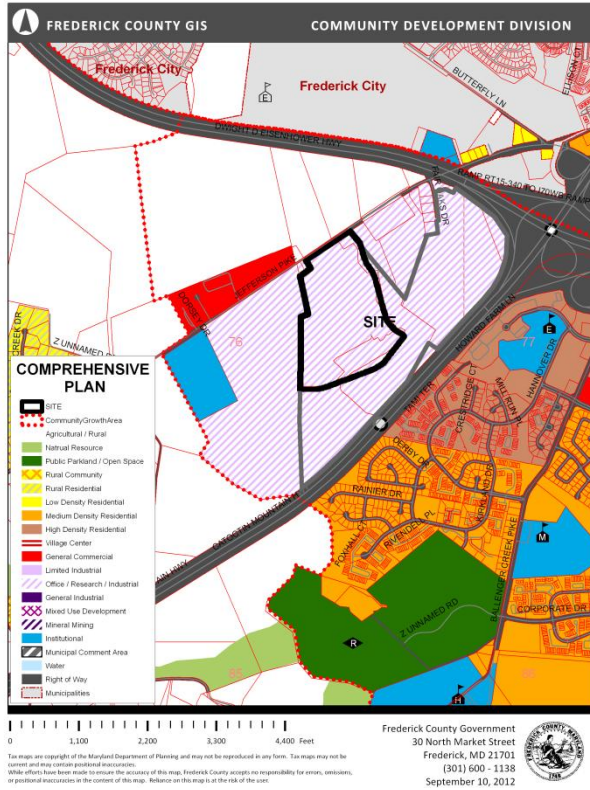
## Existing Site Characteristics

The Site is currently zoned MXD (see below) and is undeveloped. The Site is bounded by MD 180 (Jefferson Pike) on the north and US340/US15 (Catoctin Mountain Highway) on the south. Property to the north of the Site is primarily agricultural with some land along MD 180 to the northwest in commercial use, including a variety of commercial and industrial uses at Enterprise Court, two trailer parks, and a small office building. The Site is bordered on the west by the New Life Foursquare Church. The eastern portion of the Site is bordered by low density residential uses including a small residential subdivision along Fair Oaks Drive. The far eastern corner the Site borders an interchange with I-70.

The topography of the Site and its surroundings is relatively flat or rolling, with no slopes greater than 15%. In general, the land slopes from high ground on the west to the Pike Branch on the eastern edge of the Site. The Pike Branch is a first order creek, and crosses the Site from north to south, eventually flowing into Ballenger Creek to the south. There is very little tree cover on the Site.







# ANALYSIS

## Summary Key Issues/Staff Findings

- One of the key design issues related to this site was to find a way to accommodate the applicant's intent to provide front-loaded residential dwellings in a very dense arrangement. As depicted on the overall plan, a number of creative design solutions are being employed to mitigate some of the issues resulting from the use of the front loaded building type. In addition, the orientation of certain dwellings with respect to public thoroughfares and proposed park space was considered. Finally, the dispersion of available parking was also a design consideration.
- This Combined Preliminary Subdivision / Site Development Plan meets the requirements of the Frederick County Code, with conditions and approval of modifications.
- Applicable conditions of the Phase I approval (R-05-01A) are adequately addressed in the plan.
- APFO review and approval was conducted concurrent with Phase I approval during the approval process for the Development Rights and Responsibilities Agreement. The final Letter of Understanding outlining required public improvements was signed on November 29, 2012.

## Specific Planning Commission Action Required

- Approval of the proposed dimensional bulk restrictions for this application shown on the following page and on sheet PD-1 of the Applicant's Combined Preliminary Subdivision/Site Development Plan.
- Approval of the requested modification for decrease of on-street parallel parking stall width from 8' to 7'.
- Approval of requested landscaping modifications.

## Detailed Analysis of Findings and Conclusions

### PUD Phase I Conditions of Approval

The following are the conditions of approval of the Phase I PUD Amendment adopted on November 29, 2012.

1. *The Project shall contain a maximum of 825 residential dwelling units.*
2. *The Applicant shall guarantee and construct an overpass from the Project across US340/US15 including the eastbound and westbound on and off ramps on each side of US 340/US15 as Phase I project improvements. The Applicant shall be permitted to record final plats for residential units and employment buildings at such time as the Applicant has designed and guaranteed the improvements set forth in this paragraph. No building permits may be issued until these road improvements are under construction and within 12 months of the estimated completion date and notwithstanding other improvements that may be required per the APFO approval.*
3. *No free-standing single user commercial retail building, with the exception of a grocery store, will exceed a 40,000 square foot footprint.*
4. *The Planning Commission may require that architectural renderings of buildings, streetscapes, or public areas be presented to assure that the appearance, size and type of building materials or other aspects of the design are in keeping with the purpose and intent of the MXD district.*
5. *The Project shall include a trail system and a series of exercise stations. The Applicant shall construct a residential area clubhouse and a pool, prior to obtaining building permits for more than 400 dwelling units.*
6. *The Applicant shall construct all road improvements as stated in Condition 2 as well as other road improvements required by APFO testing with other than County funds. Notwithstanding this condition, the Board of County Commissioners may authorize Tax Increment Financing for these road improvements.*
7. *As part of the Phase II MXD approval, the Applicant shall work with staff to identify and incorporate appropriate design elements into the Project to ensure the development is transit serviceable.*
8. *The Applicant shall work with staff during the Phase II MXD approval to determine the final location for public/quasi-public spaces as well as the commercial land uses, in order to link the larger ORI employment area*

*with the Mixed Use Main Street and Commercial Core.*

## **Analysis of Preliminary Subdivision Plan Review Criteria**

### ***§ 1-16-12 Public Facilities***

- The subdivision will be served through a system of roads with a combination of classifications and design/location that meet subdivision regulations.
- All proposed lots will be accessed by publicly maintained roads with continuously paved surfaces of at least 20 feet in width.
- Section 1-19-10.500.4(D)(1) of the Zoning Ordinance requires that “Prior to Phase II application the Planned Development District property must be classified at least W4/S4 on the Frederick County Water and Sewerage Plan.” The property is currently classified W4/S4 on the Frederick County Water and Sewerage Master Plan indicating improvements to, or construction of, publicly-owned community sewerage or water systems are planned within a 4 to 6 year time period. After an S-4/W-4 classification has been granted, an application may be submitted to the Maryland Department of the Environment for Water and/or Sewerage construction permits, as applicable. An Adequate Public Facilities Letter of Understanding (APFO LOU) was executed on 11/29/12 to address public facilities. Issues of system capacity and adequacy for water/sewer/roads and schools are addressed in the APFO LOU.

### ***§1-16-109 Street, Common Driveway, and Sidewalk Construction***

- Street improvements shall be constructed in accordance with the specifications in the Frederick County Design Manual.
- Required minimum width for sidewalks is 4 feet. All sidewalks provided are a minimum of 4 feet wide. Sidewalks have been increased to 5 feet wide where possible.
- Sidewalks or designated pedestrian pathways are provided on both sides of all closed section roads with dwelling unit frontage within the development.
- No common driveways are proposed as part of this development project.

### ***§1-16-111 Parks***

- Per the MXD Phase I application, a minimum of 30.1 acres of open space/green area was required, and a total of 34.8 acres of open space/green area has been provided. Per the provision of this open space/green area for the Project as a whole, passive and active recreation land requirements are met.

### ***§ 1-16-217. Land Requirements***

- The Comprehensive Plan land use designation for the MXD zoned site is Office Research Industrial. This land use designation is intended to be applied only within Community Growth Areas and supports business, professional and corporate office uses, as well as research and development uses. This comp plan designation is a prerequisite for the application of the MXD zone. The MXD floating zone is intended to focus on employment uses, but also provides the opportunity for potential development of complementary residential and commercial uses. The current preliminary plan application includes only the residential component of the overall MXD which was approved at the Phase I rezoning, and is therefore consistent with the requirements of the MXD zone.
- The general layout of the development was established at the Phase I rezoning. The Phase II Combined Preliminary Subdivision/Site Development Plan continues the approved Phase I layout employing an interconnected network of roads and building types whose frontage bounds a streetscape enclosure. The configuration allows for a pedestrian oriented street network, with regular intersections between proposed

streets.

*§ 1-16-218. Block Shape*

- No block dimension is greater than 1800 feet. Sidewalks have been extensively provided to facilitate circulation to neighborhood destinations.

*§ 1-16-219. Lot Size and Shape:*

- § 1-19-10.500.2 (E) of the Zoning Ordinance states that there will be no minimum tract size, lot area, or lot width for the Planned Development Districts.
- Depth-to-width lot ratio is not greater than 5 to 1 for any residential lot in this application.
- There are no proposed panhandle lots as part of this application.

*§ 1-16-235. Right-Of-Way and Paved Surface Widths:*

- The Applicant has proposed 40' public rights-of-way with two-way 10' drive aisles for a majority of local streets. Wider rights-of-way are provided along major roads, including Lambeth Lane, Forum Square, Imperial Drive, and Village Way. Eight feet wide drive aisles are provided in all alleys.
- At several locations along major roads within the development, a "slip road" configuration has been employed. This provides a benefit related to public safety because it separates vehicular access to dwellings from the main flow of traffic along higher volume roads, eliminating potential safety conflicts. This is a heightened concern because dwellings along these roads have very closely spaced driveways. Additionally, the slip road configuration provides a superior aesthetic result because it allows for a continuous planting strip along public streets, thereby screening the abundance of concrete that results from closely spaced driveways.
- The paved surface width is adequate to serve the proposed use and meets or will meet the requirements within the Frederick County Design Manual.

*§ 1-16-236. Other Street Requirements:*

- The streets within the proposed development comply with subdivision requirements within this section. No cul-de-sacs are proposed.

*Driveway Entrance Spacing Policy*

- Adopted by the FCPC in 2002 (amended 2004), this policy provides a system of evaluating driveway locations for public safety, to preserve rural character of roads located in rural parts of the County, and allowing tighter spacing in areas of the County designated for denser development.
- The proposed primary site access on MD 180 is in non-conformance with the policy. The new entrance is only 60 feet away from a commercial driveway where the policy requires no less than 200'. In addition, SHA has indicated that they would not issue an access permit for this unsafe access arrangement until the applicant proposes an acceptable solution, such as relocating the driveway to comply with the FCPC spacing policy. The Applicant has agreed to work with the property owner to relocate the driveway to align with the eastern entrance to the Project.
- Proposed driveways are all located on local residential streets, which have no spacing restrictions. Most lots fronting residential collector streets within the proposed development employ the slip road configuration mentioned previously in this report.



#### *Dimensional Requirements/Bulk Standards:*

- Dimensional standards for height and setbacks are to be established by the FCPC in conjunction with this Combined Preliminary Subdivision/Site Development Plan review. The proposed dimensional standards for this project are shown on sheet PD-1 of the Applicant's submitted Combined Preliminary Subdivision/Site Development Plan, and discussed previously in this report.

#### **Analysis of Site Development Plan Review Criteria**

Site Development Plan Approval shall be granted based upon the criteria found in §1-19-3.300.4 of the Frederick County Zoning Ordinance.

*§1-19-3.300.4 (A) Existing and anticipated surrounding land uses have been adequately considered in the design of the development and negative impacts have been minimized through such means as building placement or scale, landscaping, or screening, and an evaluation of lighting. Anticipated surrounding uses shall be determined based upon existing zoning and land use designations.*

- While only a few existing residential dwellings about the subject site along the northern boundaries and along MD 180, they were taken into consideration with respect to the site layout. A pocket park was placed along the rear lot lines of the two existing residential dwellings on the north/western most portion of the site along MD 180. It is expected that a row of dense landscaping will be provided, however the proximity of sidewalks and paths will afford these residents the ability to feel connected to the development and walk to the town center if so desired.
- The residential property to the north/east was provided with a much safer access into the residential collector of the development so that the existing direct access on MD 180 for the property can be closed.
- Dimensional standards for height and setbacks are to be established by the FCPC in conjunction with this Combined Preliminary Subdivision/Site Development Plan review. The proposed dimensional standards for this project are shown on sheet PD-1 and note #16 of the Cover Sheet of the Applicant's submitted Combined Preliminary Subdivision/Site Development Plan, and discussed previously in this report.

*§1-19-3.300.4 (B) The transportation system and parking areas are adequate to serve the proposed use in addition to existing uses by providing safe and efficient circulation, and design consideration that maximizes connections with surrounding land uses and accommodates public transit facilities. Evaluation factors include: on-street parking impacts, off-street parking and loading design, access location and design, vehicular, bicycle, and pedestrian circulation and safety, and existing or planned transit facilities.*

- The adequacy of the transportation system is addressed in the signed APFO LOU.
- See above discussion of parking (Vehicle Parking and Loading §1-19-6.200 through 1-19-6.220)
- The overall design has taken into consideration the need for interconnection to the 'Jefferson Tech Park West' land bay abutting the western edge of the subject property. In addition, small accommodations have been made to a residential dwelling on MD 180 at the site entrance to be able to gain access off of the main collector road.
- Staff worked with the applicant in an attempt to appropriately intersperse on-street parking throughout the community to provide ample overflow. In addition, certain areas of the non-residential uses are set up for shared parking, including a portion of the commercial site along MD 180 as well as the rear parking areas of the non-residential in the core of the town center.

- At several locations along major roads within the development, a “slip road” configuration has been employed. This provides a benefit related to public safety because it separates vehicular access to dwellings from the main flow of traffic along higher volume roads, eliminating potential safety conflicts. This is a heightened concern because dwellings along these roads have very closely spaced driveways. Additionally, the slip road configuration provides a superior aesthetic result because it allows for a continuous planting strip along public streets, thereby screening the abundance of concrete that results from closely spaced driveways.
- The internal roads were designed to minimize traffic speeds, and provide multiple means of ingress/egress. Integrating other design components to enhance the transportation system was also considered. As an example, the ‘central green’ not only provides active recreation, but also breaks up one of the main ‘collector’ roads through the site and acts as a traffic calming device.

*Public Utilities §1-19-3.300.4 (C) Where the proposed development will be served by publicly owned community water and sewer, the facilities shall be adequate to serve the proposed development. Where proposed development will be served by facilities other than publicly owned community water and sewer, the facilities shall meet the requirements of and receive approval from the Maryland Department of the Environment/the Frederick County Health Department.*

- Water will be coming from the New Design Water Treatment Plant and sewer will flow into the Ballenger McKinney Wastewater Treatment Plant.
- Adequacy of water and sewer for this Project is addressed in the APFO LOU. Project will not proceed without adequate water and sewer capacity.

*Natural features §1-19-3.300.4 (D) Natural features of the site have been evaluated and to the greatest extent practical maintained in a natural state and incorporated into the design of the development. Evaluation factors include topography, vegetation, sensitive resources, and natural hazards.*

- The existing natural geography for the MXD as a whole has determined the allocation of development areas within the overall community layout. This portion of the Project is located on a relatively level and higher elevation portion of the MXD. The forested stream valley area on the eastern border will be maintained in its natural state with pedestrian facilities running along its border.
- There is no FEMA floodplain within this portion of the Project.
- Nearly the entire site includes Wet Soils. The Zoning Ordinance requires that a soils delineation report be prepared for projects proposing construction of a residential structure with a basement if proposed on or within 100 feet of “wet soils”. The Applicant is required to submit a soils delineation report for review prior to building permit.

*Common Areas §1-19-3.300.4 (E) If the plan of development includes common areas and/or facilities, the Planning Commission as a condition of approval may review the ownership, use, and maintenance of such lands or property to ensure the preservation of such areas, property, and facilities for their intended purposes.*

- The plan provides a central community/recreational space composed of programmed uses, such as courts and fields, as well as an open, multipurpose field. Additionally, several pocket parks are distributed throughout the Site. Staff worked with the applicant to ensure there are both active and passive areas, including the addition of a ‘central green’ to the plan as shown in prior concepts. Staff proposes that this green serve as a flexible, passive recreational area that can adapt and evolve with the community.

#### *Landscaping §1-19-6.400:*

- The Applicant is requesting a modification from the requirements of §1-19-6.400 (A) Street Trees. The type of development promoted by the MXD zone is generally higher density, and more urban in character than typical developments that have historically been constructed under similar zoning in the County. One aspect of this is that infrastructure, dwellings, and landscaping are more spatially concentrated. However, requirements related to utilities and infrastructure often conflict with the planning objectives of higher density, compact development supported by the MXD zone. As such, typical tree planting requirements may conflict with water and sewer infrastructure requirements. Therefore the Applicant has requested the modification to allow for an abundance of landscaping without employing the typical spacing of 1 tree per 35 feet of roadway frontage required by the Zoning Ordinance. Staff concurs with the Applicant's justification for this request and recommends approval.

#### *Lighting §1-19-6.500:*

- Proposed lighting is directed downward and does not exceed the maximum height of 14' as permitted by Zoning Ordinance in pedestrian oriented portions of MXD developments.
- Proposed lighting does not exceed .5 foot-candles as measured from the Site property line.

#### *Vehicle Parking and Loading §1-19-6.200 through 1-19-6.220 :*

- Required parking per §1-19-6.220 of the Frederick County Zoning Ordinance is as follows:

<b>Dwelling Type</b>	<b>Requirement</b>	<b># of Units</b>	<b>Required</b>
Townhouse, Multifamily	1 per unit, plus .5 for each bedroom in the dwelling unit	<b>825</b>	<b>2025*</b>

*\*based on applicants submission*

The Applicant has submitted a modification request to permit the provision of parking less than the required amount. The required number of on-site spaces is 2,025. The plan provides 1,243 total on-site parking spaces through parking pads, garages, and parking lots. However, the plan supplements the proposed on-site parking with an additional 1,045 on-street spaces, and 116 shared parking spaces, bringing the total effective amount of parking provided within the development to 2,404 spaces. The request is therefore is to utilize a portion of the provided on-street parking toward the required 'on-site' parking. Prior developments in the County have indicated that the required parking for townhouses in higher density developments must be supplemented by between 10-15% above the required number to meet the needs of residents and guests. While on-street spaces are not required by the Zoning Ordinance, Staff is in support of the additional parking. Staff concurs with the Applicants justification (attached) and supports the request to utilize a portion of the on-street parking toward the on-site requirement.

- Prescribed parking stall width and depth per § 1-19-6.220 (B)(1) for parallel parking spaces is 8' x 22'. A decrease in width dimensions from 8' to 7' feet is requested by the Applicant for parallel parking along the proposed residential local roads. Staff concurs with the Applicant's justification and supports the request for a decrease in the dimensional requirement for parallel parking spaces along local roads.

#### *Bicycle Parking §1-19-6.220 (H)*

- Bicycle parking is required by Zoning Ordinance for townhouses with surface parking and multifamily dwellings at a rate of 1 rack for each 20 required auto parking spaces. The zoning ordinance does not require bicycle parking within townhouse developments where garages are provided. There are no townhouse units without garages within the proposed development. The Applicant proposes 228 multifamily units which require 570 vehicle parking spaces (2.5 spaces per unit). Therefore, a total of 28

bicycle parking racks are required.

- The current Site Development Plan does not indicate bike parking facilities for the multifamily development. Staff recommends adding a note on the cover sheet of the Combined Preliminary Subdivision/Site Development Plan stating the required number of bike parking facilities, and that they will be provided in compliance with the County bike parking guidelines. Staff will work with the Applicant as the project moves forward to completion to ensure that the note is added to the plan and the bicycle racks are located in accordance with County guidelines. The Multi-Family Development will need to come back for a more detailed Site Development Plan and this issue will be addressed at that time.

### **Stormwater Management**

§1-15.2: The project has previously approved stormwater management plans currently in effect.

### **Adequate Public Facilities Ordinance (APFO)**

§1-20: The Project has been reviewed for APFO adequacy by the Board of County Commissioners (BOCC) as part of the Development Rights and Responsibilities Agreement (DRRA) process. The final Letter of Understanding outlining required public improvements with respect to Schools, Water/Sewer, and Roads was signed on November 29, 2012.

### **Forest Resource Ordinance (FRO)**

A Final Forest Conservation plan was approved in 2006. The forest easements were recorded in 2008 and remaining mitigation was provided via the payment of fee-in-lieu in 2007. The site contained 8.06 acres of forest, of which 6.51 acres was preserved. In addition, 8.09 acres of new forest is to be planted within the recorded FRO easements.

A small area of the recorded FRO easement along Jefferson Way must be released in order to facilitate an entrance to the Hawkins Property and a redesign of the approach to MD 180. This area was slated to be planted in new forest. Because this portion of the easement is very narrow and is not in an environmentally sensitive area, Staff supports the easement release. However, prior to the approval of the Combined revised Preliminary/Site Plan, a Revised FRO plan must be submitted and approved, the portion of the easement that is being impacted must be released from easement (which requires approval by the BOCC), and replacement mitigation must be provided.

### **Moderately Priced Dwelling Units**

§1-6A: The payment in lieu of building MPDU's option (§ 1-6A-5.1) is being utilized for this Project.

### **Historic Preservation**

The Harry Howard Farmstead (MIHP # F-3-228) occupied the center portion of what was once a 108-acre dairy operation. The collection of nine outbuildings, plus the house, was a representative example of an early 20th century Maryland dairy farm and was found to be eligible for inclusion on the National Register of Historic Places. A report produced by R. Christopher Goodwin and Associates in April 2006 documented the farmstead in preparation for the Jefferson Technology Park development. The applicants sought, and were granted a demolition permit for all of the farmstead buildings in May 2007 and the structures were removed shortly thereafter. No further archaeological study or preservation action was recommended by the Army Corps of Engineers in their analysis of the historic resources in the vicinity as part of the Section 106 consultation process for the development.



## Summary of Agency Comments

<b>CDD Engineering</b>	Approved
<b>CDD Planning</b>	Hold. Must meet all agency and FCPC comments and conditions.
<b>State Highway Administration</b>	Conditionally Approved – Pending Access Permit Satisfaction
<b>DUSWM</b>	Denied
<b>Health Department</b>	Conditionally Approved
<b>Office of Life Safety</b>	Denied
<b>CDD Traffic Engineering</b>	Conditionally Approved – Pending MD 180 Access Issue
<b>Historic Preservation</b>	Waived
<b>Street Naming</b>	Denied

## RECOMMENDATION

Staff has no objection to the Planning Commission conditionally approving the Jefferson Place at Jefferson Technology Park Combined Preliminary Subdivision/Site Development Plan. If approved, the Combined Preliminary Subdivision Plan is valid for a period of five (5) years from Planning Commission approval. If approved, the Site Development Plan is valid for a period of three (3) years from the date of Planning Commission approval.

Staff recommends conditional approval of S-1136, SP-06-07, AP# 13421 the Jefferson Place at Jefferson Technology Park Combined Preliminary Subdivision/Site Plan with the following specific approvals and modifications to be noted on the Combined Preliminary Subdivision/Site Development Plan:

1. Approval of setbacks and height restrictions for this portion of the development as proposed by the Applicant and presented in this Staff Report. . The Applicant shall include the approved setbacks and height on the cover sheet of the Revised Combined Preliminary/Final Site Plan prior to signature.
2. Approval of a decrease in on-street parallel parking stall width from 8' to 7'.
3. Approval of a parking modification to allow a portion of the on-street parking spaces to count toward meeting the required number of on-site parking spaces.
4. Approval of an alternate planting design as described in the Staff report and presented in the Applicant's modification request.

And based upon the findings and conclusions as presented in the staff report that the application meets or will meet all applicable Zoning, APFO, and FRO requirements once the following conditions are met:

1. Comply with all agency comments.
2. The multifamily portion of the project consisting of 228 dwelling units is not included in this Site Development Plan approval. This portion of the project must be submitted for review as a separate, additional Site Development Plan in order to fully address code requirements.
3. Prior to the approval of the Combined revised Preliminary/Site Plan, a Revised FRO plan must be submitted and approved, the portion of the easement that is being impacted must be released from easement (which requires approval by the BOCC), and replacement mitigation must be provided.
4. A detailed open space/park amenity plan shall be submitted for staff review and approval.
5. A shared parking agreement outlining the conditions of use between the residential and non-residential uses must be documented on the site plan and noted on any final record plats.

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## **PLANNING COMMISSION ACTION**

### **MOTION TO MODIFY AND APPROVE AS MODIFIED**

I move that the Planning Commission **APPROVE WITH CONDITIONS** as listed in the staff report, the Combined Preliminary Subdivision/Site Development Plan S-1130/SP-07-07 (AP13053) for the proposed Jefferson Place at Jefferson Technology Park and approve the modifications based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting.